

DEPARTMENT OF JUSTICE NEW CASTLE COUNTY 820 NORTH FRENCH STREET WILMINGTON, DELAWARE 19801

November 15, 2007

CRIMINAL DIVISION (302) 577-8500 FAX (302) 577-2498 CIVIL DIVISION (302) 577-8400 FAX (302) 577-6630 TTY (302) 577-5783

James St. Louis
SBI # 446518
Delaware Correctional Center
1181 Paddock Road

Re:

Smyrna, DE 19977

JOSEPH R. BIDEN, III

ATTORNEY GENERAL

St. Louis v. Morris, et al.

C.A. No. 06-236-SLR

Dear Mr. St. Louis:

I am writing in reference to your Motion to Compel directed to Defendant Morris. [D.I. 78]. You seek production of your "fact-finding report" and your employment records.

As stated in Defendants' responses to your discovery requests, your institutional file materials are protected from discovery by 11 *Del. C.* § 4322. Without waiving this objection, your employment records concerning your employment in the DCC kitchen are enclosed.

As to your other request, I do not know what you are referencing in regards to a "fact-finding report" and am not aware of any such document.

Very truly yours,

Eileen Kelly

Deputy Attorney General

Enclosures

cc: Clerk of the Court (w/enclosures)

EXHIBIT A

FOOD SERVICE

REQUEST FOR INMATE ASSIGNMENT, REASSIGNMENT, OR TERMINATION

INMATE NAM	Etrus ST. LOCISBIH	SSN #	
WORK .	AERA: Main Kitcher	HOUSING UNIT:E	· · · · · · · · · · · · · · · · · · ·
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TITE OF ACT	NEW ASSIGNMENT	EFFECTIVE DATE:	
-	REASSIGNMENT	EFFECTIVE DATE: 4/12	<u>10</u> 4
	TERMINATION	EFFECTIVE DATE:	
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<u>F</u>	55 S. MORRIS DOD SERVICE SPECIALIST SIGNATURE	<u> 4</u> /,	7/04 DATE

FOOD SERVICE SPECIALIST SIGNATURE



FOOD SERVICE WORKER **CLEARANCE EXAM**

Inmate Name: St.	Louis J	ames [amate Number: 4465]	8
Does the inmate current	y have:		
1. Open lesions?	Yes (No)	Location of lesions	
2. Cold Symptoms?	Yes (No)	Describe symptoms	
3. Skin rash?	(Yes)No	Location and describe Psoriosis & C	Life to the
4. Scables?	Yes (No)	on both legs.	acrican tx.
5. Head, body or crab !	lice? Yes	(No)	
. Diarrhea?	Yes (No No	
. History of Hepatitis	A? Yes	NO N	
If yes, refer to RN So	apervisor.		
the inmate's grooming	acceptable in these	areas:	
Is clothing clean and	neat? (Yes)	No	
Is hair clean and groo	omed? (Yes)	No_	L. L.
Are fingernails clean	and clipped?	(Yes) No	
Is personal hygiene e	vident?	(Yes No	
dy or crab lice, I will no	tify my supervisor	lu or diarrhea, have an open sore or cut, rash on my hands of and medical clinic immediately. James At. James Jam	r body, and he go these
DOXR (circle) te: 3 -10 - 04 PPD/CXR are not curren poratory Test (if indicate te:	d) Type of lab test i	performed	
		der for test and schedule test to be done. able (circle) for work as a food service worker.	

MR-1012



is hereby granted to:

St Louis, James SBI# 446518

for outstanding performance and lasting contribution on

you have shown for the completion of The extra effort and team work that the Thanksgiving Holiday Meal Granted: November 28, 2003

#0014

Harry M. Legates / Robin White god Service Supervisor

Bureau of Management Services Inmate Work Programs Performance Evaluation Record

Name ST. DUIS OB	165	SBI No. <u>4</u>	16518)	
Last First					
Date Hired: 8-17-01	Work As	signment: LÙ	rese	RVCR	
Rating Scale: 1= Much Worse than Avera	nga 2— Worse th	on Average 2-	Averege		
-		_	Average		
4= Better than Average	5= Much Ben	er than Average			
Evaluation Date 10-03	_ Evaluator Nan	ne: FSSII	J.W.	illion	
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4 Attendance					
5 Demonstrated Proficiency:					
Safety Awareness					
Advancement Potential				•	
		Inmate Initials	· · · · · · · · · · · · · · · · · · ·		-
Evaluation Date:	Evaluator Nam	e:	·		
Conduct / Attitude	Comments:			÷	
Attendance					
Demonstrated Proficiency:					
Safety Awareness					
Advancement Potential					
		Inmate Initials	<u></u>		-
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Conduct / Attitude	Comments:				
Attendance					
Demonstrated Proficiency:					
Safety Awareness					
Advancement Potential		Towards T. W. J.			
		Inmate Initials			

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ale:	Dale:	Date:
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Filed 11/15/2007 Page 8 of 6

10/81/02

DEPARTMENT OF CORRECTION FOOD SERVICE "SAFETY AND SANITATION" EXAM

<u>Directions:</u> Circle the correct answer. There is only one correct answer for each question.

Introduction to Food Safety

- 1. Why is Food Safety important?
 - A. To stop injury at the work place.
 - B. To keep kitchen clean.
 - C.) Health and Sanitation of the institution and public.
- 2. What causes food borne illness?
 - A. Clean hands.
 - B. Proper sanitation.
 - C. Taking showers.
 - (D) Bacteria and viruses cause food borne illness.
- 3. What causes bacteria to grow?
 - A. Food stored properly.
 - B. Foods cooked to temperature.
 - C. Foods that are kept in the danger zone (40° -140°) for prolonged periods of time.
 - D. Over eating.
- 4. The food flow is: Receiving, Storage, Preparation, Cooking, Serving, Cooling and Re-heating.
 - A.) True
 - B. False
- 5. Can an infected employee with poor hygiene contaminate food?
 - A. False
 - B.) True

Personal Hygiene

- 1. Who can control personal hygiene?
 - (A) Everyone can control personal hygiene.
 - B. To prevent a food borne illness outbreak.
 - C. To be a popular person.
- 2. You should shower and/or bath everyday.
 - (A) True
 - B. False
- 3. What is considered proper attire?
 - A. Wearing dirty clothes.
 - B) Wearing clean clothes and proper hair restraints.
 - C. Hair restraints are not required.



Which of the following is the proper hand-washing technique?

- A. Washing hands after using the restroom.
- B. Washing hands in cold water.
- C. Washing hands for at least 20 seconds.
- D. Prep sinks are acceptable for hand-washing.
- (Ê) Both A and C
- 5. Hand-washing is not necessary when returning to work from personal activities such as eating, drinking, smoking, or grooming.
 - A. True
 - B.) False

Proper Cleaning and Sanitation



1. Cleaning is...

- A. Using cold dirty water.
- (B.) Using sanitizing solution such as bleach.
- C. The removal of dirt and debris you can see on the surface.
- 2. Sanitizing is..
 - A. Using a detergent as a sanitizing agent.
 - (B) Using a chemical agent (bleach) after area is washed and rinsed.
 - C. Degreaser is a chemical sanitizing agent.
- 3. Which process is correct?
 - A) Wash, rinse and sanitize.
 - B. Sanitizing then Cleaning.
 - C. None of the above.
- 4. The final rinse on the dishwasher has to be a minimum of 180°.
 - A.) True
 - B. False
- 5. How often should the trash containers be cleaned?
 - A. Once a day.
 - B. As often as possible.
 - C. Never.

Receiving and Storage

- 1. Why is the thermometer used in Food Service?
 - A. To look professional.
 - B. To see if an employee is sick.
 - C.) To ensure foods are cooked and cooled to the proper temperature and to monitor the time food is in the temperature danger zone (40°- 140°).
- 2. The correct temperature for raw meats, poultry, and milk should be?
 - A. 50° and above
 - B. 40° 140°
 - $(\overline{C}.)$ 40° and below
- 3. Can goods should be checked for dents, rust, swelling, or leakage at time of delivery.
 - (A.) True
 - B. False
- 4. What is FIFO?
 - A. Latin word meaning "hello
 - B. First Initial Food Orientation
 - C.) First In First Out
 - D. Foreign ingredients for oatmeal
- 5. Chemicals, detergents, and sanitizing agents should be:
 - (A.) Kept in original labeled containers and stored separate from food.
 - B. Stored with food products.
 - C. Divided into smaller unmarked containers.

Preparation, Cooking, and Serving

- 1. Contamination is the presence of something harmful in the food.

 - B. False



What is an example of cross contamination?

- A piece of chicken is cut then a head of lettuce is cut without cleaning the knife and cutting board.
 - B. Beef stew is spilled into tossed salad.
- C. A box of cherries is placed on the shelf and leaks into the garlic bread.
- D. All of the above
- 3. What is the danger temperature zone for food?
 - A. 45° 148°
 - B. 40° 165°
 - C.)40° 140°
- 4. What is the proper technique for defrosting frozen foods?
 - A. Under hot water.
 - B. As part of the cooking process.
 - C. In the refrigerator.
 - D. Under cold running water.
 - E.) B, C and D.
- 5. What is the minimum cooking temperature for poultry?
 - A. 140° for 15 seconds.
 - B. 165° for 15 seconds.
 - C. 152° for 15 seconds.
- 6. The internal temperature of food should be taken on its thickest part.
 - A.) True
 - B. False
- 7. What is the proper way to remove ice from the ice machine?
 - A. A bowl.
 - B. A Styrofoam cup.
 - C1) A scoop, which is designated for the ice machine.

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18/
X.
5/1

What is the minimal holding temperature for hot food?

A. 140°.

(B) 165°.

C. 40°.

9. Cooked food should be cooled to 40° or below within a four hour period and be labeled immediately.

(A) True

B. False

. Cooked foods should be reheated to 140°.

(A) True

B. False

11. It is acceptable to mix old food with new food to be served.

A. True

B) False

12. Do not re-heat leftovers more than once.

(A.) True

B. False

13. Holding equipment is not to be used for re-heating food.

A. True

B. False

Bureau of Management Services Inmate Work Programs Performance Evaluation Record

Name: 61. LDUIS, 0	ml6 SBI No. 4465 18
Last First	
Date Hired: 7/01	Work Assignment: Food Server
Rating Scale: 1= Much Worse than Ave	erage 2= Worse than Average 3= Average
4= Better than Average	e 5= Much Better than Average
Evaluation Date: 5/1/03	Evaluator Name: F6311 Riordon
Conduct / Attitude	Comments:
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4 Demonstrated Proficiency:	attitude and aloes no
4 Safety Awareness	hestitate to Offer ass whenever negated.
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Evaluation Date:	Evaluator Name:
Conduct / Attitude	Comments:
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Safety Awareness	
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Advancement Potential	Inmate Initials

FOOD SERVICE

REQUEST FOR INMATE ASSIGNMENT, REASSIGNMENT, OR TERMINATION

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INMAT	E:	ST.LOU	IS,JAME	SS SBI #: 446518 SSN #:054-42-9668
	WORK	AREA:	M/	K BLGD. #14 HOUSING UNIT: E
TYPE	OF	ACTION	(CHECK	ONE)
7			<u> </u>	NEW ASSIGNMENT EFFECTIVE DATE 08/17/01
			,	REASSIGNMENT EFFECTIVE DATE
		·		TERMINATION EFFECTIVE DATE
				REASON Replacement needed.
				-
•			POSITION	KITCHEN WORKER
			ŚHIFT: _	1030-2000 DAYS OFF: GHANDON PRE/SAT
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4		LT.	./cpox s	DATE: S/17/01

FORM # : 376

FOOD SERVICE

	REQUEST FOR INMATE ASSIGNMEN	r, REASSIGNMENT, OR TERMINATION
-	INMATE: ST. LOUIS, JAMES WORK AREA: MK BKG,	SBI #:
	TYPE OF ACTION (CHECK ONE) NEW ASSIGNMENT	
	TERMINATION REASON	ACCEPTED LEELD
	POSITION DSH RU SHIFT: 1030-200	DOM DAYS OFF: FRI-SAT
•		

FORM # : 376

C.O./COOK SIGNATURE

FOOD SERVICE

REQUEST FOR INMATE ASSIGNMENT, REASSIGNMENT, OR TERMINATION

INMA	ΛΤΕ: <u>.</u>	ST. LO	UIS, JAN	rs.	SBI	#: <u>446518</u>		ssn #: <u>054</u>	42-9668	
	WORK	AREA:	M/K_	BLGD. #14	Hous	ING UNIT:		E-BLDG		· · · · · · · · · · · · · · · · · · ·
TYPE	e of	ACTION	(CHECK	ONE)						
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FORM # : 376

FOOD SERVICE

REQUEST	FOR	INMATE	ASSIGNMENT,	REASSIGNMENT	OR -	TERMINATION
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INMATE: 57. Lovis James. SBI #: 4445/8 SSN #:
WORK AREA: M/K B/kg #14 HOUSING UNIT: E
TYPE OF ACTION (CHECK ONE)
REASSIGNMENT EFFECTIVE DATE
TERMINATION EFFECTIVE DATE
REASON
POSITION Lelief Workles.
SHIFT: 1030- 2000 DAYS OFF: FRI - Sai
ht formy DATE: 8/18/07
C.O./COOK SIGNATURE

FORM # : 376

FOOD SERVICE OPERATIONAL PROCEDURES DEPARTMENT OF CORRECTIONS BUREAU OF ADMINISTRATIVE OPERATIONS AND SERVICES DELAWARE CORRECTIONAL CENTER SMYRNA, DE

TITLE: Inmate Rules and Regulations for offenders classified and hired in the Food Service Department.

PURPOSE: To establish policy and procedures assuring offenders and correctional staff a safe, sanitary and productive environment.

<u>UNIFORM/DRESS CODE</u>

- a) Inmates will report to work in white food service uniforms. Inmates will travel with shirts tucked inside trousers. If jackets are worn they will be buttoned up. DOC must appear on outer shirts and jackets. No one will be allowed to enter the Food Service area if not in the proper uniform. Inspections of uniforms will be conducted on a daily basis to assure compliance.
- b) Inmates may work in their undershirts providing the garment is in good condition. Any garments not being worn must be hung on coat racks provided in the corridor (zone2). No garments will be hung in the Food Service area at any time.

II PERSONAL HYGIENE /SANITATION

- a) Inmates will be showered and reasonably groomed prior to reporting to work. Facial hairs will be neat and trimmed to a reasonable length. (1/4 inch)
- b) Lengthy hair exceeding the top of the ear will be styled in a manner so that it may be restrained with a hat or hair net.
- c) Inmates will thoroughly wash hands and forearms with warm soapy water for 20 seconds prior to starting work and after the following:

Handling raw food.

Touching their hair, face, or body.

Sneezing, or coughing.

Eating and drinking.

Cleaning.

Taking out garbage.

Touching anything that may contaminate their hands.

- d) Nails will be clean and kept short.
- e) Inmates will wear gloves whenever hands come in contact with foods.
- f) Gloves will be changed often and frequently to avoid contamination and spreading bacteria.
- g) Inmates will keep kitchen in a high state of police at all times. <u>CLEAN AS YOU GO</u> will be practiced all day, everyday. No exceptions.
- h) Kitchen will be inspection ready at all times. No exceptions.

III BREAKS

- a) All breaks will be conducted in the break area; which is in Zone 1.
- b) All eating and drinking will be conducted in Zone 1.
- c) Immates are permitted two (15) minute leisure breaks and one (30) minute meal break per shift.
- d) Inmates not on break are to be in their assigned working area at all times.

IV OFF LIMITS

a) Inmates will remain in their designated area of assignment at all times.

b) If you need to leave your area for any reason report to the C/O Cook in your area. Leaving an area without permission is considered off limits.

c) Inmates will not enter another zone without permission.

d) Immates not assigned to Food prep areas are not permitted to enter these areas unless given permission.

e) C/O cooks and Managers office are off limits to all inmates. No exceptions.

V **ASSIGNMENTS**

a) Inmate staff is required to perform all assignments in a safe and expedient manner.

b) All assignments are regarded as a direct order and are subject to review by C/O staff only. Under no circumstances will immate staff be permitted to challenge, or question the authority, or the integrity of correctional staff.

VI CHAIN OF COMMAND

- a) Inmates will present all matters of concern to C/O Cook staff for disposition. Inmate staff will not approach Food Service Manager, or Food Service Director until C/O staff has reviewed situation and deemed it necessary for inmate to do so.
- b) Chain of Command is as follows.

C/O Cook

C/O Cook Manager

Food Service Director I

c) Violation of the chain of command will result in disciplinary actions.

VII CONDUCT

- a) Inmate staff must be courteous when dealing with any persons in Food Service.
- b) Inmates are to be cooperative with one another as well as, with C/O staff.
- c) Language of a profane, obscene, or offensive nature is strictly prohibited.
- Severe boisterousness (loudness), or any other behavior that adversely affects production or morale is strictly prohibited.
- e) Horseplaying, fighting, or any unsafe act is strictly prohibited and will be strictly
- f) Insubordination, defiance of authority, or refusal to follow orders is prohibited.
- g) Absolutely no running through the kitchen.

VIII HEAD COUNT/ BREIFINGS

a) All inmates will be present for all head counts and all briefings. No exceptions.

b) Inmates will cease all activities and report to briefing area (zone 1). Inmates will remain quiet and orderly until briefing, or count; is dismissed by correctional staff.

Formations will be conducted in the following manner:

Covered Down. (Standing directly behind the man in front of you.)

Dress Right Dress (Standing directly beside the man to your right and even with him. Look out of the corner of your right eye and align yourself with the man to the right of you.)

Formations will be (3) files, (3) rows.

All hands will be placed at your sides.

All eyes and heads will be facing forward.

There will be absolute silence. No one is permitted to talk while Correctional staff is briefing formations. Any violations will result in disciplinary actions.

IX <u>IOB DESCRIPTIONS</u>

 Inmates will perform all duties in accordance with job descriptions. Correctional staff will interpret descriptions as needed.

X PROMOTIONS

a) Promotions are based on conduct, performance, availability, teamwork, skills, experience, and seniority.

b) All new assignments and promotions are under a 30 day probationary period. If performance and or conduct is unsatisfactory at the completion of this period the inmate will be returned to previous position.

XI CONTRABAND

- a) Inmates are not permitted to take any items from the Food Service area at any time.
- b) Any one caught taking any item/s food or otherwise out of the kitchen will be terminated immediately. No exceptions.
- c) Inmates are not permitted to bring non-food service related materials to the kitchen. i.e. magazines, books...

d) Inmates are subject to patdown/shakedowns upon entering and departing kitchen.

e) Inmates being searched will face wall with arms extended; hands placed on wall with feet spread apart. All head gear will be removed. If wearing jackets, or apron these items will be removed and searched. Any items being carried in pockets will be removed and searched. Anyone refusing to follow patdown procedures will face immediate disciplinary actions.

XII SCHEDULING

a) Inmates will be notified of their schedule by the daily wake-up roster.

b) Inmates are responsible for reporting to work on time. No exceptions.

- c) Inmates must have a valid reason for not reporting to work on time. i.e. visits, religious services, doctors notice, groups and special functions inmate may be classified for.
- d) Inmates are responsible for reporting to kitchen staff why they cannot report to work.
- e) All absentees will be verified. No exceptions.

XIII RESIGNATIONS

a) Inmates wishing to resign from their position in Food Service must submit a letter of to the Food Service Manager and the inmates Counselor. No exceptions.

I have read and understand the rules and regulations explained to me in this SOP. I understand that any non-compliance to these rules will result in immediate disciplinary action. I will comply with all policies afore mentioned in this SOP.

James Sr. Lauis

Inmate Signature:

TO: All W Kitchen Inmate Employees

FROM: C/O Cook Managers & C/O Cooks

DATE: March 7, 1996

RE: PROCEDURE FOR ACCESSING SICK EXEMPTION

When an employee becomes ill and must take an unscheduled day off, the following shall be the procedure and policy of the Minimum Security Kitchen:

1. The inmate will report to work on his normal shift.

- 2. The First Cook, Second Cook or C/O Cook will verify that he is too sick to work.
- 3. Upon verification of illness, the C/O Cook will issue a twenty-four hour exemption by logging the inmate's illness and day off in the log book.
- 4. Missing three consecutive days from work will require a return-to-work slip from the medical staff.
- 5. A return-to-work slip will be required to return to work for five (5) sick days taken beyond 72 hours.
- 6. Not having a return-to-work slip will result in suspension from the job pending review.
- 7. Missing five days in a month due to illness will result in a poor work and attendance evaluation, step down or removal from a position to relief worker position or being removed from the kitchen work staff completely.
- 8. This procedure does not apply to on-the-job injuries causing or requiring medical hold.

Please indicate by signing that you understand and adhere to the above policy and procedures of the W Kitchen.

Thank you.

C/O Cook

Kitchen Inmate Employee

Date

cc: Captain Dave Holman Lt. Kevin Eames

Lt. Hollis

Manager D. Young

FOOD SERVICE

REQUEST FOR INMATE ASSIGNMENT, REASSIGNMENT, OR TERMINATION

	MIR BUS TH HOUSING UNIT:
TYPE OF ACTION	(CHECK ONE) X NEW ASSIGNMENT EFFECTIVE DATE OF DEPOSITION REASSIGNMENT EFFECTIVE DATE TERMINATION EFFECTIVE DATE REASON REPIGEMENT Meded IN SANIALINI FILLING CORNELL RIVERA POSTUM
•	POSITION SANITATION SHIFT: Bela DAYS OFF: WED-THURS.

C.O./COOK SIGNATURE

DATE: 2/86/02

FORM # : 376

FOOD SERVICE

REQUEST FOR INMATE ASSIGNMENT, REASSIGNMENT, OR TERMINATION	•
INMATE: STLOUIS LAMESSBI #: WORK AREA: MOIN KITCH CHOUSING UNIT:	
TYPE OF ACTION (CHECK ONE) NEW ASSIGNMENT EFFECTIVE DATE	
REASSIGNMENT EFFECTIVE DATE 1/13/03	
TERMINATION EFFECTIVE DATE	
POSITION DISHMACHUL	
SHIFT: $\frac{0000 - 1300}{1500 - 1000}$ DAYS OFF: $\frac{1500 + 700}{1500}$	
C.O./COOK SIGNATURE DATE: 1/8/03	

Bureau of Management Services Inmate Work Programs Performance Evaluation Record

Name: 5/ Louis JAMes	SBI No. 00 44 65 18
Last First	
Date Hired:	Work Assignment: 2nd cook
Rating Scale: 1= Much Worse than Avera	age 2= Worse than Average 3= Average
4= Better than Average	5= Much Better than Average
Evaluation Date: 16 APROY	Evaluator Name: SSG T Butter
S Conduct / Attitude Attendance	Comments: Above SAIDENDIVIDUAL has been Aflus in the cooks station
5 Demonstrated Proficiency:	
Safety Awareness Advancement Potential	Inmate Initials
Evaluation Date:	Evaluator Name:
Conduct / Attitude	Comments:
Attendance	
Demonstrated Proficiency:	
Safety Awareness	
Advancement Potential	Inmate Initials
Evaluation Date:	Evaluator Name:
Conduct / Attitude	Comments:
Attendance	
Demonstrated Proficiency:	
Safety Awareness	
Advancement Potential	Inmate Initials

Bureau of Management Services Inmate Work Programs Performance Evaluation Record

Name: ST. Louis JAMes	_SBI No	46518
Date Hired: 200/ Augus	_ Work Assignment:	2NS COOK
Rating Scale: 1= Much worse than Average 4= Better then Average 5= Much better tha	2= Worse then average 3	
Evaluation Date: 12-31-04	_Evaluator Name:	FSSTE BURTON
Conduct/ Attitude	Comments: 54	mes STLONIS DOES A GOOD S
Attendance	IN the cooks	3 AVER AINS HAS DEMONSTAID.
Demonstrated Proficiency:	THAT HE CAN HA	PASLE the Second cook position
Safety Awareness		
Advancement Potential	Inmate Initials	John L.
Evaluation Date:		
	.	
Conduct/ AttitudeAttendance	Comments:	
Demonstrated Proficiency:		
Safety Awareness		
Advancement Potential	Inmate Initials	
Evaluation Date:	Evaluator Name:	
Conduct/ Attitude	Comments:	
Attendance		
Demonstrated Proficiency:		
Safety Awareness		
Advancement Potential		
	Inmate Initials	